

THE HONORABLE JAMES L. ROBERT

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ASHLEY POPA, individually and on behalf of
all similarly situated,

Plaintiff,

v.

PSP GROUP, LLC d/b/a PET SUPPLIES
PLUS, and MICROSOFT CORPORATION,

Defendants.

No. 2:23-cv-00294-JLR

JLR

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING MOTION TO
DISMISS BRIEFING SCHEDULE**

Noted for Consideration: June 21, 2023

Plaintiff Ashley Popa, and Defendants PSP Group, LLC and Microsoft Corporation (collectively “the Parties”), by and through their respective counsel, hereby move to extend the briefing schedule for Defendants’ Motions to Dismiss filed on June 6, 2023 (ECF Nos. 54, 55). Plaintiff’s opposition to the motions is currently due on June 26, 2023. By and through their respective counsel, the Parties stipulated to—and now jointly and respectfully request that the Court approve—an extension of the briefing schedule for Plaintiff to file her opposition to the Motions to Dismiss to **July 31, 2023** and for Defendants to file any reply to **September 8, 2023**.

An extension may be justified at the discretion of the Court if the request for an extension is timely, and the request is not made in bad faith or for an improper purpose. Good cause exists

1 to grant the stipulation. The parties agree that this request is supported by good cause. This action
 2 involves two defendants, a putative class pursuing claims under Pennsylvania law, and complex
 3 and novel questions of statutory interpretation. Thus, Plaintiff and Defendants seek extensions to
 4 the response and reply times given the complexity and nature of the responsive and forthcoming
 5 oppositions. Extending the foregoing deadline will not impact other deadlines in this case. In
 6 view of the number, complexity, and importance of the issues raised by Defendants' two motions
 7 to dismiss, the parties agree that Plaintiff's opposition to both motions shall be due on **July 31,**
 8 **2023.** The parties further agree that Defendants' replies shall be due on **September 8, 2023,** with
 9 re-noting of the motion for September 8, 2023.
 10
 11

12 Dated: June 21, 2023

Respectfully submitted,

13 s/ Gary F. Lynch

s/ John S. Devlin, III

14 Gary F Lynch (*pro hac vice*)

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15 Jamisen A. Etzel (*pro hac vice* forthcoming)

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16 Nicholas Colella (*pro hac vice* forthcoming)

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s/ Nicola C. Menaldo

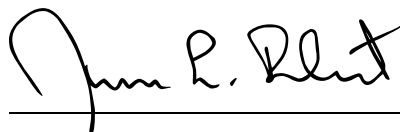
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*Counsel for Defendant Microsoft
Corporation*

SO ORDERED.

Dated this 21st day of June, 2023



THE HONORABLE JAMES L. ROBART